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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,608	11/09/2001	Samuel M. Lester	10014400-1	6002
22879	7590	10/10/2006	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			COLES, EDWARD L	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/986,608

Applicant(s)

LESTER ET AL.

Examiner

Rashan O. Patterson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1,3,5-7 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Samsung Electronics Co. (EP 0996055) in view of Xerox Corporation (EP 0917044).

With regard to claim 1 Samsung Electronics Co. discloses a printer system (Fig 1; Col. 2 lines 16-17) comprising: a first printer (Printer 40) that is capable of being in one of a ready state and a not ready state, with respect to processing any incoming print jobs and a second printer (printer 40) that is capable of being in one of the ready state and not ready state (Col. 2 lines 48-56), wherein the first printer (printer 40) redirects a print job sent to the first printer (printer 40), to the second printer (printer 40), when the first printer (printer 40) is in the not ready state (Col. 2 lines 48-56; Col. 3 lines 27-31).

Samsung does not disclose a printer system comprising a printer administer that is coupled to the first printer by way of a communications network where in the printer

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administrator is notified by the first printer as to any print job redirections made by the first printer.

Xerox discloses a printer administrator (420) that is coupled to the first printer by way of a communications network (Fig. 4) where in the printer administrator (420) is notified by the first printer as to any print job redirections made by the first printer (Par. 0018-0021).

Samsung and Xerox are combinable because they both incorporate image processing.

It would have been obvious at the time of invention for one of ordinary skill in the art to combine Samsung with Xerox.

The reason for doing so would have been for the printer administrator (420) to be notified of the output device's current state as taught by Xerox in Par. 0018.

Therefore it would have been obvious to combine Samsung with Xerox in order to obtain the invention specified in claim 1.

With regard to claim 3, it is met with the combination of Samsung and Xerox, wherein Samsung discloses a printer system (Fig 1; Col. 2 lines 16-17) comprising: a first printer (printer 40) that is capable of being in one of a ready state and not ready state, with respect to processing any incoming print jobs, wherein the not ready state includes at least a first non-recoverable error sub-state (Col. 2 lines 48-52; Col. 3 lines 38-41); a second printer (printer 40), wherein the first printer (printer 40) redirects a print job sent to the first printer (printer 40), to the second printer (printer 40), when the first printer (printer 40) is in the first non-recoverable error sub-state (Col. 2 lines 13-18; Col.

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3 lines 27-31). **Note:** Although Samsung does not specifically disclose non-recoverable error. A non-recoverable error is an error dealing with the operational functionality of the printer, in which Samsung states in Par. 0017 *"When a print error interrupting printing such as out of paper, paper jam, out of toner, and **other operational error** elements in the engine 46 occurs, the redirection portion 44a transfers a waiting print job stored in the memory storage 44 to another working printer"*. Therefore it would be obvious that a non-recoverable error would be an operational error.

With regard to claim 4, it is met with the combination of Samsung and Xerox, wherein Samsung discloses a print system comprising a third printer (printer 40) wherein not ready state also includes a second non-recoverable error sub-state (Col. 2 lines 48 - 52; Col. 3 lines 38-1), and where in the first printer (printer 40) redirects a print job sent to the first printer (printer 40) to the third printer (printer 40), when the first printer (printer 40) is in the second non-recoverable error sub-state (Col. 3 lines 31-37).

Note: Although Samsung does not specifically disclose non-recoverable error. A non-recoverable error is an error dealing with the operational functionality of the printer, in which Samsung states in Par. 0017 *"When a print error interrupting printing such as out of paper, paper jam, out of toner, and **other operational error** elements in the engine 46 occurs, the redirection portion 44a transfers a waiting print job stored in the memory storage 44 to another working printer"*. Therefore it would be obvious that a non-recoverable error would be an operational error.

With regards to claim 5, it is met with the combination of Samsung, and Xerox, wherein Xerox discloses a printer a printer administrator (420) that is coupled to the first printer (502) and the second printer (504) by way of a communications network (Fig. 4).

Regarding claims 6 and 17 Samsung discloses a printing system comprising: 0a first printer having a first set of printing capabilities (Fig 1; Col. 2 lines 16-17); comprising: a first printer (Printer 40) and a second printer wherein the first printer (printer 502) includes a processor (CPU 43) for reading information contained in the print job sent to the first printer, and wherein the first printer (printer 502) redirects the print job to the second printer (printer 504) when the information contained in the print job is such that the capabilities of the first printer will not allow it to properly perform the print job (Col. 7 lines 34-58; Col. 8 lines1-28).

Samsung Electronics Co. does not disclose a printer system comprising: a second printer having a second set of printing capabilities different from than the first set of printing capabilities, the second printer in a ready state.

Xerox Corporation reveals a printer system (Fig 4) comprising: a first printer (printer 502) having a first set of printing capabilities; and a second printer (printer 504) having a second set of printing capabilities different from than the first set of printing capabilities, the second printer in a ready state, and directing the print job to the second printer (printer 504) when the information contained in the print job is such that the capabilities of the first printer (printer 502) will not allow it to properly perform the print job (Col. 7 lines 34-58; Col. 8 lines1-28).

It would have been obvious at the time of invention for one of ordinary skill in the

art at the time of the invention to modify Samsung Electronics Co. by Xerox Corporation

The reason for doing so would have been to balance the load on each of the output devices as taught by Xerox in par. 38.

Therefore it would have been obvious to combine Samsung with Xerox in order to obtain the invention specified in claim 6.

Regarding claim 7, it is met with the combination of Samsung and Xerox, wherein Samsung discloses a printer administrator(10) that is coupled with the first printer (40) and the second (40) printer by way of a communications network (20), wherein the printer administrator is notified by the first printer as to any printer job redirections mad by the first printer (Par. 0017).

With regard to claim 9, it is met with the combination of Samsung and Xerox, wherein Samsung discloses a method of printing a job on one of a plurality of network printers (printers 40) coupled to a network (network 20) comprising: receiving, by a first of the network printers (printer 40) a print job; determining, by the first of the network printers (printer 40), a current operating state of the first of the network printers, the current operating state being either first state or a second state; and routing, by the first of the network printers, the print job to a second of network printers when the operating state is in the first state (Fig 3; Col. 3 lines 14-18).

With regard to claim 10, it is met with the combination of Samsung and Xerox, wherein Samsung discloses a method of executing the print job by the first of the network printers (printers 40) when the operating state of the first of the network printers (printer 40) is in the second state, where in the print job is not routed to the second of

the network printers (printers 40) when the operating state of the first of the network printers (printers 40) is in the second state (Col 1 lines 6-15; Col 2 lines 43-48).

Regarding claim 11, it is met with the combination of Samsung and Xerox, wherein Samsung discloses the first stat is a Not Ready to Process Incoming Print Jobs state, and wherein the second stat is a Ready to Process Incoming Print Jobs state (Par. 0017)

With regard to claim 12, it is met with the combination of Samsung and Xerox, wherein Samsung discloses a method of printing a job on one of a plurality of network printers (printers 40) coupled to a network (network 10) comprising: receiving, by a first of the network printers (printers 40) a print job; determining, by the first of the network printers (printers 40), a current operating state including at least one state corresponding to a non-recoverable error state and routing, by the first of the network printers, the print job to a second of the network printers when the operating state is the non-recoverable error state (Fig 3; Col. 3 lines 14-18).

With regard to claim 13, it is met with the combination of Samsung and Xerox, wherein Samsung discloses executing the print job by the first of the network printers (printer 40) when the operating state of the first of the network printers (printer 40) is in a state other than the non-recoverable error state, wherein the print job is not routed to the second of the network printers (printer 40) when the operating state of the first of the network printers (printer 40) is in the state other than the non-recoverable error state (Col 1 lines 6-15; Col 2 lines 43-48).

Regarding claims 15 and 16, they are met with the combination of Samsung and Xerox, wherein Xerox discloses the printer system, wherein the at least first non-recoverable error sub-state comprises a page to complex sub-state or a memory out sub-state (Par. 0049).

Conclusion

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashan O. Patterson whose telephone number is 571-272-0597. The examiner can normally be reached on Mon - Fri 9am-5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ROP



TWYLER LAMB
SUPERVISORY PATENT EXAMINER